

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1 and 4-6 are now present in the application. Claim 1 has been amended. Claims 9-23 have been withdrawn and hereby cancelled. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mathieu, U.S. Patent No. 6,042,712. This rejection is respectfully traversed.

In light of the foregoing amendments, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to recite a combination of elements including "the heater comprises two individual thermal insulating supports respectively having a heating element thereon and an opening formed between the two insulating supports for allowing the electrolyte to flow therethrough." Support for the amendments to claim 1 can be found in FIG. 2 and the related description on page 9 of the specification. Applicants respectfully submit that the above combination of elements as set forth in amended independent claim 1 is not disclosed nor suggested by the reference relied on by the Examiner.

The Examiner alleged that Mathieu in col. 10, lines 55-63 and FIG. 9 teaches a temperature control device capable of controlling the temperature of the electrolyte at the surface of the substrate and that it is obvious to one of ordinary skill in the art to have incorporated the

localize heating of the electrolyte of Mathieu by utilizing the heated placed independently in the electroplating tank.

Although Mathieu in FIG. 9 and col. 10, lines 55-63 discloses an array of contiguous Peltier tiles 152 are located on the substrate 150 to selectively heat or cool localized areas of the substrate 150, the contiguous Peltier tiles 152 do not comprise “two individual thermal insulating supports respectively having a heating element thereon” as recited in claim 1. In addition, there is no opening formed between two adjacent contiguous Peltier tiles 152, thereby failing to allow the electrolyte to flow therethrough. Therefore, Mathieu fails to teach “the heater comprises two individual thermal insulating supports respectively having a heating element thereon and an opening formed between the two insulating supports for allowing the electrolyte to flow therethrough” as recited in claim 1.

Since Mathieu fails to teach each and every limitation of amended independent claim 1, Applicants respectfully submit that amended independent claim clearly defines the present invention over Mathieu.

In addition, claims 4-6 depend, either directly or indirectly, from independent claim 1, and are therefore allowable based on their respective dependence from amended independent claim 1, which is believed to be allowable.

In view of the above amendments to the claims and remarks, Applicants respectfully submit that the claims clearly define the present invention over the reference relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Cheng-Kang (Greg) Hsu, Registration No. 61,007 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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